♠ AO 120 (Rev. 3/04)

TO:

## Commissioner of Trademarks P.O. Box 1451 Alexandria, VA 22313-1451 ATTN: TTAB

## REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been

| filed in the U.S. Dis   | strict Court <b>Southern Dis</b>        | trict of New York on the following ☐ Patents or ☐ Trademarks:  |
|---|---|--|
| DOCKET NO.  | DATE FILED                              | U.S. DISTRICT COURT  |
| 13cv2157  | 4/2/2013                                | 500 Pearl Street New York, NY 10007  |
| PLAINTIFF Times Three Clothier,LLC,   |   | DEFENDANT<br>Spanx, Inc.   |
| PATENT OR   | DATE OF PATENT                          |  |
| TRADEMARK NO.   | OR TRADEMARK                            | HOLDER OF PATENT OR TRADEMARK  |
| 1 D606,285S   | 12/22/2009                              | Times Three Clothier LLC   |
| 2 D616,627S   | 6/1/2010                                | Times Three Clothier LLC   |
| 3 D622,477S   | 8/31/2010                               | Times Three Clothier LLC   |
| 4 D623,3778   | 9/14/2010                               | Times Three Clothier LLC   |
| 5 D665,558S   | 8/21/2012                               | Times Three Clothier LLC   |
| In the abov   | INCLUDED BY                             | ng patent(s)/ trademark(s) have been included:   |
| D. COTTAIN OR   | + · · · · · · · · · · · · · · · · · · · | Amendment Answer Cross Bill Other Pleading   |
| PATENT OR<br>TRADEMARK NO.  | DATE OF PATENT<br>OR TRADEMARK          | HOLDER OF PATENT OR TRADEMARK  |
| 1 D666,384S   | 9/4/2012                                | Times Three Clothier LLC   |
| 2   |   |  |
| *04-08-2013* U.S. Patent and Trademark Office #72   |   |  |
| In the above—entitled case, the following decision has been rendered or judgement issued: |   |  |
| DECISION/JUDGEMENT  |   |  |
|   |   |  |
| CLERK (BY) DEPUTY CLERK DATE  |   |  |
| Ruby Krajick  |   | 1) DEI 01 |